

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Regulatory Sunset Act is amended by changing  
5 Sections 4.27 and 4.37 and adding Section 4.27a as follows:

6 (5 ILCS 80/4.27)

7 Sec. 4.27. Acts repealed on January 1, 2017. The following  
8 are repealed on January 1, 2017:

9 ~~The Illinois Optometric Practice Act of 1987.~~

10 The Boiler and Pressure Vessel Repairer Regulation Act.

11 Articles II, III, IV, V, VI, VIIA, VIIB, VIIC, XVII, XXXI,  
12 XXXI 1/4, and XXXI 3/4 of the Illinois Insurance Code.

13 (Source: P.A. 99-78, eff. 7-20-15; 99-572, eff. 7-15-16.)

14 (5 ILCS 80/4.27a new)

15 Sec. 4.27a. Act repealed on December 31, 2017. The  
16 following Act is repealed on December 31, 2017:

17 The Medical Practice Act of 1987.

18 (5 ILCS 80/4.37)

19 Sec. 4.37. Acts repealed on January 1, 2027. The following  
20 Act is repealed on January 1, 2027:

21 The Clinical Psychologist Licensing Act.

1           The Illinois Optometric Practice Act of 1987.

2           (Source: P.A. 99-572, eff. 7-15-16.)

3           (5 ILCS 80/4.26a rep.)

4           Section 10. The Regulatory Sunset Act is amended by  
5           repealing Section 4.26a.

6           Section 15. The Medical Practice Act of 1987 is amended by  
7           changing Section 21 as follows:

8           (225 ILCS 60/21) (from Ch. 111, par. 4400-21)

9           (Section scheduled to be repealed on December 31, 2016)

10          Sec. 21. License renewal; reinstatement; inactive status;  
11          disposition and collection of fees.

12          (A) Renewal. The expiration date and renewal period for  
13          each license issued under this Act shall be set by rule. The  
14          holder of a license may renew the license by paying the  
15          required fee. The holder of a license may also renew the  
16          license within 90 days after its expiration by complying with  
17          the requirements for renewal and payment of an additional fee.  
18          A license renewal within 90 days after expiration shall be  
19          effective retroactively to the expiration date.

20          The Department shall attempt to provide through electronic  
21          means ~~mail~~ to each licensee under this Act, ~~at his or her~~  
22          ~~address of record~~, at least 60 days in advance of the  
23          expiration date of his or her license, a renewal notice. No

1 such license shall be deemed to have lapsed until 90 days after  
2 the expiration date and after the Department has attempted to  
3 provide such notice ~~has been mailed by the Department~~ as herein  
4 provided.

5 (B) Reinstatement. Any licensee who has permitted his or  
6 her license to lapse or who has had his or her license on  
7 inactive status may have his or her license reinstated by  
8 making application to the Department and filing proof  
9 acceptable to the Department of his or her fitness to have the  
10 license reinstated, including evidence certifying to active  
11 practice in another jurisdiction satisfactory to the  
12 Department, proof of meeting the continuing education  
13 requirements for one renewal period, and by paying the required  
14 reinstatement fee.

15 If the licensee has not maintained an active practice in  
16 another jurisdiction satisfactory to the Department, the  
17 Licensing Board shall determine, by an evaluation program  
18 established by rule, the applicant's fitness to resume active  
19 status and may require the licensee to complete a period of  
20 evaluated clinical experience and may require successful  
21 completion of a practical examination specified by the  
22 Licensing Board.

23 However, any registrant whose license has expired while he  
24 or she has been engaged (a) in Federal Service on active duty  
25 with the Army of the United States, the United States Navy, the  
26 Marine Corps, the Air Force, the Coast Guard, the Public Health

1 Service or the State Militia called into the service or  
2 training of the United States of America, or (b) in training or  
3 education under the supervision of the United States  
4 preliminary to induction into the military service, may have  
5 his or her license reinstated without paying any lapsed renewal  
6 fees, if within 2 years after honorable termination of such  
7 service, training, or education, he or she furnishes to the  
8 Department with satisfactory evidence to the effect that he or  
9 she has been so engaged and that his or her service, training,  
10 or education has been so terminated.

11 (C) Inactive licenses. Any licensee who notifies the  
12 Department, in writing on forms prescribed by the Department,  
13 may elect to place his or her license on an inactive status and  
14 shall, subject to rules of the Department, be excused from  
15 payment of renewal fees until he or she notifies the Department  
16 in writing of his or her desire to resume active status.

17 Any licensee requesting reinstatement from inactive status  
18 shall be required to pay the current renewal fee, provide proof  
19 of meeting the continuing education requirements for the period  
20 of time the license is inactive not to exceed one renewal  
21 period, and shall be required to reinstate his or her license  
22 as provided in subsection (B).

23 Any licensee whose license is in an inactive status shall  
24 not practice in the State of Illinois.

25 (D) Disposition of monies collected. All monies collected  
26 under this Act by the Department shall be deposited in the

1 Illinois State Medical Disciplinary Fund in the State Treasury,  
2 and used only for the following purposes: (a) by the  
3 Disciplinary Board and Licensing Board in the exercise of its  
4 powers and performance of its duties, as such use is made by  
5 the Department with full consideration of all recommendations  
6 of the Disciplinary Board and Licensing Board, (b) for costs  
7 directly related to persons licensed under this Act, and (c)  
8 for direct and allocable indirect costs related to the public  
9 purposes of the Department.

10 Moneys in the Fund may be transferred to the Professions  
11 Indirect Cost Fund as authorized under Section 2105-300 of the  
12 Department of Professional Regulation Law (20 ILCS  
13 2105/2105-300).

14 The State Comptroller shall order and the State Treasurer  
15 shall transfer an amount equal to \$1,100,000 from the Illinois  
16 State Medical Disciplinary Fund to the Local Government Tax  
17 Fund on each of the following dates: July 1, 2014, October 1,  
18 2014, January 1, 2015, July 1, 2017, October 1, 2017, and  
19 January 1, 2018. These transfers shall constitute repayment of  
20 the \$6,600,000 transfer made under Section 6z-18 of the State  
21 Finance Act.

22 All earnings received from investment of monies in the  
23 Illinois State Medical Disciplinary Fund shall be deposited in  
24 the Illinois State Medical Disciplinary Fund and shall be used  
25 for the same purposes as fees deposited in such Fund.

26 (E) Fees. The following fees are nonrefundable.

1           (1) Applicants for any examination shall be required to  
2           pay, either to the Department or to the designated testing  
3           service, a fee covering the cost of determining the  
4           applicant's eligibility and providing the examination.  
5           Failure to appear for the examination on the scheduled  
6           date, at the time and place specified, after the  
7           applicant's application for examination has been received  
8           and acknowledged by the Department or the designated  
9           testing service, shall result in the forfeiture of the  
10          examination fee.

11          (2) Before July 1, 2018, the fee for a license under  
12          Section 9 of this Act is \$700. Beginning on July 1, 2018,  
13          the fee for a license under Section 9 of this Act is \$500.

14          (3) Before July 1, 2018, the fee for a license under  
15          Section 19 of this Act is \$700. Beginning on July 1, 2018,  
16          the fee for a license under Section 19 of this Act is \$500.

17          (4) Before July 1, 2018, the fee for the renewal of a  
18          license for a resident of Illinois shall be calculated at  
19          the rate of \$230 per year, and beginning on July 1, 2018,  
20          the fee for the renewal of a license shall be \$167, except  
21          for licensees who were issued a license within 12 months of  
22          the expiration date of the license, before July 1, 2018,  
23          the fee for the renewal shall be \$230, and beginning on  
24          July 1, 2018 that fee will be \$167. Before July 1, 2018,  
25          the fee for the renewal of a license for a nonresident  
26          shall be calculated at the rate of \$460 per year, and

1 beginning on July 1, 2018, the fee for the renewal of a  
2 license for a nonresident shall be \$250, except for  
3 licensees who were issued a license within 12 months of the  
4 expiration date of the license, before July 1, 2018, the  
5 fee for the renewal shall be \$460, and beginning on July 1,  
6 2018 that fee will be \$250.

7 (5) The fee for the reinstatement of a license other  
8 than from inactive status, is \$230. In addition, payment of  
9 all lapsed renewal fees not to exceed \$1,400 is required.

10 (6) The fee for a 3-year temporary license under  
11 Section 17 is \$230.

12 (7) The fee for the issuance of a duplicate license,  
13 for the issuance of a replacement license for a license  
14 which has been lost or destroyed, or for the issuance of a  
15 license with a change of name or address other than during  
16 the renewal period is \$20. No fee is required for name and  
17 address changes on Department records when no duplicate  
18 license is issued.

19 (8) The fee to be paid for a license record for any  
20 purpose is \$20.

21 (9) The fee to be paid to have the scoring of an  
22 examination, administered by the Department, reviewed and  
23 verified, is \$20 plus any fees charged by the applicable  
24 testing service.

25 (10) The fee to be paid by a licensee for a wall  
26 certificate showing his or her license shall be the actual

1 cost of producing the certificate as determined by the  
2 Department.

3 (11) The fee for a roster of persons licensed as  
4 physicians in this State shall be the actual cost of  
5 producing such a roster as determined by the Department.

6 (F) Any person who delivers a check or other payment to the  
7 Department that is returned to the Department unpaid by the  
8 financial institution upon which it is drawn shall pay to the  
9 Department, in addition to the amount already owed to the  
10 Department, a fine of \$50. The fines imposed by this Section  
11 are in addition to any other discipline provided under this Act  
12 for unlicensed practice or practice on a nonrenewed license.  
13 The Department shall notify the person that payment of fees and  
14 fines shall be paid to the Department by certified check or  
15 money order within 30 calendar days of the notification. If,  
16 after the expiration of 30 days from the date of the  
17 notification, the person has failed to submit the necessary  
18 remittance, the Department shall automatically terminate the  
19 license or permit or deny the application, without hearing. If,  
20 after termination or denial, the person seeks a license or  
21 permit, he or she shall apply to the Department for  
22 reinstatement or issuance of the license or permit and pay all  
23 fees and fines due to the Department. The Department may  
24 establish a fee for the processing of an application for  
25 reinstatement of a license or permit to pay all expenses of  
26 processing this application. The Secretary may waive the fines

1 due under this Section in individual cases where the Secretary  
2 finds that the fines would be unreasonable or unnecessarily  
3 burdensome.

4 (Source: P.A. 97-622, eff. 11-23-11; 98-3, eff. 3-8-13;  
5 98-1140, eff. 12-30-14.)

6 Section 20. The Illinois Optometric Practice Act of 1987 is  
7 amended by changing Sections 3, 9, 10, 11, 14, 15.1, 18, 20,  
8 21, 24, 26.2, 26.6, 26.7, 26.8, 26.15, and 27 and by adding  
9 Sections 9.5, 15.3, and 30 as follows:

10 (225 ILCS 80/3) (from Ch. 111, par. 3903)

11 (Section scheduled to be repealed on January 1, 2017)

12 Sec. 3. Practice of optometry defined; referrals;  
13 manufacture of lenses and prisms.

14 (a) The practice of optometry is defined as the employment  
15 of any and all means for the examination, diagnosis, and  
16 treatment of the human visual system, the human eye, and its  
17 appendages without the use of surgery, including, but not  
18 limited to: the appropriate use of ocular pharmaceutical  
19 agents; refraction and other determinants of visual function;  
20 prescribing corrective lenses or prisms; prescribing,  
21 dispensing, or management of contact lenses; vision therapy;  
22 visual rehabilitation; or any other procedures taught in  
23 schools and colleges of optometry approved by the Department,  
24 and not specifically restricted in this Act, subject to

1 demonstrated competency and training as required by the Board,  
2 and pursuant to rule or regulation approved by the Board and  
3 adopted by the Department.

4 A person shall be deemed to be practicing optometry within  
5 the meaning of this Act who:

6 (1) In any way presents himself or herself to be  
7 qualified to practice optometry.

8 (2) Performs refractions or employs any other  
9 determinants of visual function.

10 (3) Employs any means for the adaptation of lenses or  
11 prisms.

12 (4) Prescribes corrective lenses, prisms, vision  
13 therapy, visual rehabilitation, or ocular pharmaceutical  
14 agents.

15 (5) Prescribes or manages contact lenses for  
16 refractive, cosmetic, or therapeutic purposes.

17 (6) Evaluates the need for, or prescribes, low vision  
18 aids to partially sighted persons.

19 (7) Diagnoses or treats any ocular abnormality,  
20 disease, or visual or muscular anomaly of the human eye or  
21 visual system.

22 (8) Practices, or offers or attempts to practice,  
23 optometry as defined in this Act either on his or her own  
24 behalf or as an employee of a person, firm, or corporation,  
25 whether under the supervision of his or her employer or  
26 not.

1           Nothing in this Section shall be interpreted (A) ~~(i)~~ to  
2 prevent a person from functioning as an assistant under the  
3 direct supervision of a person licensed by the State of  
4 Illinois to practice optometry or medicine in all of its  
5 branches or (B) ~~(ii)~~ to prohibit visual screening programs that  
6 are conducted without a fee (other than voluntary donations),  
7 by charitable organizations acting in the public welfare under  
8 the supervision of a committee composed of persons licensed by  
9 the State of Illinois to practice optometry or persons licensed  
10 by the State of Illinois to practice medicine in all of its  
11 branches.

12           (b) When, in the course of providing optometric services to  
13 any person, an optometrist licensed under this Act finds an  
14 indication of a disease or condition of the eye which in his or  
15 her professional judgment requires professional service  
16 outside the scope of practice as defined in this Act, he or she  
17 shall refer such person to a physician licensed to practice  
18 medicine in all of its branches, or other appropriate health  
19 care practitioner. Nothing in this Act shall preclude an  
20 optometrist from rendering appropriate nonsurgical emergency  
21 care.

22           (c) Nothing contained in this Section shall prohibit a  
23 person from manufacturing ophthalmic lenses and prisms or the  
24 fabrication of contact lenses according to the specifications  
25 prescribed by an optometrist or a physician licensed to  
26 practice medicine in all of its branches, but shall

1 specifically prohibit (1) the sale or delivery of ophthalmic  
2 lenses, prisms, and contact lenses without a prescription  
3 signed by an optometrist or a physician licensed to practice  
4 medicine in all of its branches and (2) the dispensing of  
5 contact lenses by anyone other than a licensed optometrist,  
6 licensed pharmacist, or a physician licensed to practice  
7 medicine in all of its branches. For the purposes of this Act,  
8 "contact lenses" include, but are not limited to, contact  
9 lenses with prescriptive power and decorative and plano power  
10 contact lenses. Nothing in this Section shall prohibit the sale  
11 of contact lenses by an optical firm or corporation primarily  
12 engaged in manufacturing or dealing in eyeglasses or contact  
13 lenses with an affiliated optometrist who practices and is  
14 licensed or has an ancillary registration for the location  
15 where the sale occurs.

16 (d) Nothing in this Act shall restrict the filling of a  
17 prescription by a pharmacist licensed under the Pharmacy  
18 Practice Act.

19 (e) Nothing in this Act shall be construed to restrict the  
20 dispensing and sale by an optometrist of ocular devices, such  
21 as contact lenses, that contain and deliver ocular  
22 pharmaceutical agents permitted for use or prescription under  
23 this Act.

24 (f) On and after January 1, 2018, nothing in this Act shall  
25 prohibit an optometrist who is certified by a school of  
26 optometry approved by the Department from performing advanced

1 optometric procedures, pursuant to educational requirements  
2 established by rule, that are consistent with the  
3 recommendations of the Collaborative  
4 Optometric/Ophthalmological Task Force created in Section 15.3  
5 of this Act and that are taught (1) at an accredited, private  
6 4-year school of optometry that is located in a city in  
7 Illinois with a population in excess of 1,500,000, or (2) at a  
8 school of optometry with a curriculum that is substantially  
9 similar to the curriculum taught at the school of optometry  
10 described in item (1) of this subsection. Advanced optometric  
11 procedures do not include the use of lasers.

12 (Source: P.A. 98-186, eff. 8-5-13.)

13 (225 ILCS 80/9) (from Ch. 111, par. 3909)

14 (Section scheduled to be repealed on January 1, 2017)

15 Sec. 9. Definitions. In this Act:

16 (1) "Department" means the Department of Financial and  
17 Professional Regulation.

18 (2) "Secretary" means the Secretary of Financial and  
19 Professional Regulation.

20 (3) "Board" means the Illinois Optometric Licensing  
21 and Disciplinary Board appointed by the Secretary.

22 (4) "License" means the document issued by the  
23 Department authorizing the person named thereon to  
24 practice optometry.

25 (5) (Blank).

1           (6) "Direct supervision" means supervision of any  
2 person assisting an optometrist, requiring that the  
3 optometrist authorize the procedure, remain in the  
4 facility while the procedure is performed, approve the work  
5 performed by the person assisting before dismissal of the  
6 patient, but does not mean that the optometrist must be  
7 present with the patient, during the procedure. For the  
8 dispensing of contact lenses, "direct supervision" means  
9 that the optometrist is responsible for training the person  
10 assisting the optometrist in the dispensing or sale of  
11 contact lenses, but does not mean that the optometrist must  
12 be present in the facility where he or she practices under  
13 a license or ancillary registration at the time the  
14 contacts are dispensed or sold.

15           (7) "Address of record" means the designated address  
16 recorded by the Department in the applicant's application  
17 file or the licensee's license file maintained by the  
18 Department's licensure maintenance unit.

19 (Source: P.A. 98-186, eff. 8-5-13.)

20 (225 ILCS 80/9.5 new)

21 Sec. 9.5. Change of address. It is the duty of the  
22 applicant or licensee to inform the Department of any change of  
23 address within 14 days after such change either through the  
24 Department's website or by contacting the Department's  
25 licensure maintenance unit.

1 (225 ILCS 80/10) (from Ch. 111, par. 3910)

2 (Section scheduled to be repealed on January 1, 2017)

3 Sec. 10. Powers and duties of Department; rules; report.

4 The Department shall exercise the powers and duties prescribed  
5 by the Civil Administrative Code of Illinois for the  
6 administration of Licensing Acts and shall exercise such other  
7 powers and duties necessary for effectuating the purpose of  
8 this Act.

9 The Secretary shall promulgate Rules consistent with the  
10 provisions of this Act, for the administration and enforcement  
11 thereof and may prescribe forms that shall be issued in  
12 connection therewith. The rules shall include standards and  
13 criteria for licensure and certification, and professional  
14 conduct and discipline.

15 The Department shall consult with the Board in promulgating  
16 rules. Notice of proposed rulemaking shall be transmitted to  
17 the Board and the Department shall review the Board's responses  
18 and any recommendations made therein. ~~The Department shall~~  
19 ~~notify the Board in writing with explanations of deviations~~  
20 ~~from the Board's recommendations and responses.~~ The Department  
21 may solicit the advice of the Board on any matter relating to  
22 the administration and enforcement of this Act.

23 (Source: P.A. 94-787, eff. 5-19-06.)

24 (225 ILCS 80/11) (from Ch. 111, par. 3911)

1 (Section scheduled to be repealed on January 1, 2017)

2 Sec. 11. Optometric Licensing and Disciplinary Board. The  
3 Secretary shall appoint an Illinois Optometric Licensing and  
4 Disciplinary Board as follows: Seven persons who shall be  
5 appointed by and shall serve in an advisory capacity to the  
6 Secretary. Five members must be lawfully and actively engaged  
7 in the practice of optometry in this State, one member shall be  
8 a licensed optometrist, with a full-time faculty appointment  
9 with the Illinois College of Optometry, and one member must be  
10 a member of the public who shall be a voting member and is not  
11 licensed under this Act, or a similar Act of another  
12 jurisdiction, or have any connection with the profession.  
13 Neither the public member nor the faculty member shall  
14 participate in the preparation or administration of the  
15 examination of applicants for licensure.

16 Members shall serve 4-year terms and until their successors  
17 are appointed and qualified. No member shall be appointed to  
18 the Board for more than 2 successive 4-year terms, not counting  
19 any partial terms when appointed to fill the unexpired portion  
20 of a vacated term. Appointments to fill vacancies shall be made  
21 in the same manner as original appointments, for the unexpired  
22 portion of the vacated term.

23 The Board shall annually elect a chairperson and a  
24 vice-chairperson, both of whom shall be licensed optometrists.

25 The membership of the Board should reasonably reflect  
26 representation from the geographic areas in this State.

1 A majority of the Board members currently appointed shall  
2 constitute a quorum. A vacancy in the membership of the Board  
3 shall not impair the right of a quorum to perform all of the  
4 duties of the Board.

5 The Secretary may terminate the appointment of any member  
6 for cause.

7 The members of the Board shall be reimbursed for all  
8 authorized legitimate and necessary expenses incurred in  
9 attending the meetings of the Board.

10 Members of the Board shall have no liability in any action  
11 based upon any disciplinary proceeding or other activity  
12 performed in good faith as a member of the Board.

13 The Secretary shall give due consideration to all  
14 recommendations of the Board, ~~and in the event that the~~  
15 ~~Secretary disagrees with or takes action contrary to the~~  
16 ~~recommendation of the Board, he or she shall provide the Board~~  
17 ~~with a written and specific explanation of this action. None of~~  
18 ~~the functions, powers or duties of the Department with respect~~  
19 ~~to policy matters relating to licensure, discipline, and~~  
20 ~~examination, including the promulgation of such rules as may be~~  
21 ~~necessary for the administration of this Act, shall be~~  
22 ~~exercised by the Department except upon review of the Board.~~

23 Without, in any manner, limiting the power of the  
24 Department to conduct investigations, the Board may recommend  
25 to the Secretary that one or more licensed optometrists be  
26 selected by the Secretary to conduct or assist in any

1 investigation pursuant to this Act. Such licensed optometrist  
2 may receive remuneration as determined by the Secretary.

3 (Source: P.A. 96-270, eff. 1-1-10.)

4 (225 ILCS 80/14) (from Ch. 111, par. 3914)

5 (Section scheduled to be repealed on January 1, 2017)

6 Sec. 14. A person shall be qualified for initial licensure  
7 as an optometrist if that person has applied in writing in form  
8 and substance satisfactory to the Department and who:

9 (1) (blank) ~~has not been convicted of any of the provisions~~  
10 ~~of Section 24 of this Act which would be grounds for discipline~~  
11 ~~under this Act;~~

12 (2) has graduated, after January 1, 1994, from a program of  
13 optometry education approved by the Department or has  
14 graduated, prior to January 1, 1994, and has met substantially  
15 equivalent criteria established by the Department;

16 (3) (blank); and

17 (4) has met all examination requirements including the  
18 passage of a nationally recognized examination authorized by  
19 the Department. Each applicant shall be tested on theoretical  
20 knowledge and clinical practice skills.

21 (Source: P.A. 94-787, eff. 5-19-06.)

22 (225 ILCS 80/15.1)

23 (Section scheduled to be repealed on January 1, 2017)

24 Sec. 15.1. Diagnostic and therapeutic authority.

1 (a) For purposes of the Act, "ocular pharmaceutical agents"  
2 means topical anesthetics, topical mydriatics, topical  
3 cycloplegics, topical miotics and mydriatic reversing agents,  
4 anti-infective agents, anti-allergy agents, anti-glaucoma  
5 agents (except oral carbonic anhydrase inhibitors, which may be  
6 prescribed only in a quantity sufficient to provide treatment  
7 for up to 30 days ~~72 hours~~), anti-inflammatory agents (except  
8 oral steroids, which may be prescribed only in a quantity  
9 sufficient to provide treatment for up to 7 days),  
10 over-the-counter agents, analgesic agents, anti-dry eye  
11 agents, and agents for the treatment of hypotrichosis.

12 (a-3) In addition to ocular pharmaceutical agents that fall  
13 within the categories set forth in subsection (a) of this  
14 Section, the Board may add a pharmaceutical agent approved by  
15 the FDA or class of agents for the purpose of the diagnosis or  
16 treatment of conditions of the eye and adnexa after  
17 consideration of the agent's systemic effects, side effects,  
18 and the use of the agent within the practice of optometry. The  
19 Board shall consider requests for additional agents and make  
20 recommendations within 90 days after the receipt of the  
21 request.

22 Within 45 days after the Board's recommendation to the  
23 Department of a pharmaceutical agent or class of agents, the  
24 Department shall promulgate rules necessary to allow for the  
25 prescribing or administering of the pharmaceutical agent or  
26 class of agents under this Act.

1 (a-5) Ocular pharmaceutical agents administered by  
2 injection may be used only for the treatment of anaphylaxis.

3 (a-10) Oral pharmaceutical agents may be prescribed for a  
4 child under 5 years of age only in consultation with a  
5 physician licensed to practice medicine in all its branches.

6 (a-15) The authority to prescribe a Schedule III, IV, or V  
7 controlled substance shall include analgesic agents only in a  
8 quantity sufficient to provide treatment for up to 72 hours.  
9 The prescription of a Schedule II controlled substance is  
10 prohibited, except for Dihydrocodeinone (Hydrocodone) with one  
11 or more active, non-narcotic ingredients only in a quantity  
12 sufficient to provide treatment for up to 72 hours, and only if  
13 such formulations of Dihydrocodeinone are reclassified as  
14 Schedule II by federal regulation.

15 (b) A licensed optometrist may remove superficial foreign  
16 bodies from the human eye and adnexa and may give orders for  
17 patient care to a nurse or other health care provider licensed  
18 to practice under Illinois law.

19 (c) An optometrist's license shall be revoked or suspended  
20 by the Department upon recommendation of the Board based upon  
21 either of the following causes:

22 (1) grave or repeated misuse of any ocular  
23 pharmaceutical agent; and

24 (2) the use of any agent or procedure in the course of  
25 optometric practice by an optometrist not properly  
26 authorized under this Act.

1 (d) The Secretary of Financial and Professional Regulation  
2 shall notify the Director of Public Health as to the categories  
3 of ocular pharmaceutical agents permitted for use by an  
4 optometrist. The Director of Public Health shall in turn notify  
5 every licensed pharmacist in the State of the categories of  
6 ocular pharmaceutical agents that can be utilized and  
7 prescribed by an optometrist.

8 (Source: P.A. 97-170, eff. 7-22-11; 98-1111, eff. 8-26-14.)

9 (225 ILCS 80/15.3 new)

10 Sec. 15.3. The Collaborative Optometric/Ophthalmological  
11 Task Force. In order to protect the public and provide quality  
12 care, a Collaborative Optometric/Ophthalmological Task Force  
13 is established. This Task Force shall collaboratively develop  
14 minimum educational requirements for an optometrist to perform  
15 advanced optometric procedures. Advanced optometric procedures  
16 do not include the use of lasers.

17 The Collaborative Optometric/Ophthalmological Task Force  
18 shall be comprised of a representative of a statewide  
19 organization representing optometry, a representative of a  
20 statewide organization representing ophthalmology, a  
21 representative of a statewide organization representing  
22 physicians licensed to practice medicine in all of its  
23 branches, a representative of an accredited, private 4-year  
24 school of optometry located in a city in Illinois with a  
25 population of more than 1,500,000 persons. The Department shall

1 provide administrative support to the Collaborative  
2 Optometric/Ophthalmological Task Force. The Task Force shall  
3 meet at least monthly.

4 No later than September 1, 2017, the statewide organization  
5 representing ophthalmology shall provide to the Collaborative  
6 Optometric/Ophthalmological Task Force its recommended minimum  
7 educational requirements for a licensed optometrist to obtain a  
8 certification to perform advanced optometric procedures.

9 No later than January 1, 2018, the Department, in direct  
10 consultation with the Collaborative  
11 Optometric/Ophthalmological Task Force, shall propose rules  
12 for adoption that are consistent with the Task Force's  
13 recommendations, or recommend legislation to the General  
14 Assembly, providing educational requirements that must be met  
15 for an optometrist to obtain certification from a school of  
16 optometry approved by the Department to perform advanced  
17 optometric procedures as taught (1) at an accredited, private  
18 4-year school of optometry that is located in a city in  
19 Illinois with a population in excess of 1,500,000, or (2) at a  
20 school of optometry with a curriculum that is substantially  
21 similar to the curriculum taught at the school of optometry  
22 described in item (1) of this paragraph.

23 (225 ILCS 80/18) (from Ch. 111, par. 3918)

24 (Section scheduled to be repealed on January 1, 2017)

25 Sec. 18. Endorsement. The Department may, in its

1 discretion, license as an optometrist, without examination on  
2 payment of the required fee, an applicant who is so licensed  
3 under the laws of another state or U.S. jurisdiction of the  
4 United States. The Department may issue a license, upon payment  
5 of the required fee and recommendation of the Board, to an  
6 individual applicant who is licensed in any foreign country or  
7 province whose standards, in the opinion of the Board or  
8 Department, if the requirements for licensure in the  
9 jurisdiction in which the applicant was licensed, were, at the  
10 date of his or her licensure, substantially equivalent to the  
11 requirements then in force in this State; or if the applicant  
12 possesses individual qualifications and skills which  
13 demonstrate substantial equivalence to current Illinois  
14 requirements.

15 Applicants have 3 years from the date of application to  
16 complete the application process. If the process has not been  
17 completed in 3 years, the application shall be denied, the fee  
18 forfeited and the applicant must reapply and meet the  
19 requirements in effect at the time of reapplication.

20 (Source: P.A. 89-702, eff. 7-1-97.)

21 (225 ILCS 80/20) (from Ch. 111, par. 3920)

22 (Section scheduled to be repealed on January 1, 2017)

23 Sec. 20. Fund. All moneys received by the Department  
24 pursuant to this Act shall be deposited in the Optometric  
25 Licensing and Disciplinary Board Fund, which is hereby created

1 as a special fund in the State Treasury, and shall be used for  
2 the administration of this Act, including: (a) by the Board and  
3 Department in the exercise of its powers and performance of its  
4 duties, ~~as such use is made by the Department with full~~  
5 ~~consideration of all recommendations of the Board;~~ (b) for  
6 costs directly related to license renewal of persons licensed  
7 under this Act; and (c) for direct and allocable indirect costs  
8 related to the public purposes of the Department of Financial  
9 and Professional Regulation. Subject to appropriation, moneys  
10 in the Optometric Licensing and Disciplinary Board Fund may be  
11 used for the Optometric Education Scholarship Program  
12 administered by the Illinois Student Assistance Commission  
13 pursuant to Section 65.70 of the Higher Education Student  
14 Assistance Act.

15 Moneys in the Fund may be transferred to the Professions  
16 Indirect Cost Fund as authorized under Section 2105-300 of the  
17 Department of Professional Regulation Law (20 ILCS  
18 2105/2105-300).

19 Money in the Optometric Licensing and Disciplinary Board  
20 Fund may be invested and reinvested, with all earnings received  
21 from such investment to be deposited in the Optometric  
22 Licensing and Disciplinary Board Fund and used for the same  
23 purposes as fees deposited in such fund.

24 (Source: P.A. 94-787, eff. 5-19-06.)

25 (225 ILCS 80/21) (from Ch. 111, par. 3921)

1 (Section scheduled to be repealed on January 1, 2017)

2 Sec. 21. The Department shall maintain a roster of the  
3 names and addresses of all licensees ~~and of all persons whose~~  
4 ~~licenses have been suspended or revoked.~~ This roster shall be  
5 available upon written request and payment of the required fee.  
6 (Source: P.A. 94-787, eff. 5-19-06.)

7 (225 ILCS 80/24) (from Ch. 111, par. 3924)

8 (Section scheduled to be repealed on January 1, 2017)

9 Sec. 24. Grounds for disciplinary action.

10 (a) The Department may refuse to issue or to renew, or may  
11 revoke, suspend, place on probation, reprimand or take other  
12 disciplinary or non-disciplinary action as the Department may  
13 deem appropriate, including fines not to exceed \$10,000 for  
14 each violation, with regard to any license for any one or  
15 combination of the causes set forth in subsection (a-3) of this  
16 Section. All fines collected under this Section shall be  
17 deposited in the Optometric Licensing and Disciplinary Board  
18 Fund. Any fine imposed shall be payable within 60 days after  
19 the effective date of the order imposing the fine.

20 (a-3) Grounds for disciplinary action include the  
21 following:

22 (1) Violations of this Act, or of the rules promulgated  
23 hereunder.

24 (2) Conviction of or entry of a plea of guilty to any  
25 crime under the laws of any U.S. jurisdiction thereof that

1 is a felony or that is a misdemeanor of which an essential  
2 element is dishonesty, or any crime that is directly  
3 related to the practice of the profession.

4 (3) Making any misrepresentation for the purpose of  
5 obtaining a license.

6 (4) Professional incompetence or gross negligence in  
7 the practice of optometry.

8 (5) Gross malpractice, prima facie evidence of which  
9 may be a conviction or judgment of malpractice in any court  
10 of competent jurisdiction.

11 (6) Aiding or assisting another person in violating any  
12 provision of this Act or rules.

13 (7) Failing, within 60 days, to provide information in  
14 response to a written request made by the Department that  
15 has been sent by certified or registered mail to the  
16 licensee's last known address.

17 (8) Engaging in dishonorable, unethical, or  
18 unprofessional conduct of a character likely to deceive,  
19 defraud, or harm the public.

20 (9) Habitual or excessive use or addiction to alcohol,  
21 narcotics, stimulants or any other chemical agent or drug  
22 that results in the inability to practice with reasonable  
23 judgment, skill, or safety.

24 (10) Discipline by another U.S. jurisdiction or  
25 foreign nation, if at least one of the grounds for the  
26 discipline is the same or substantially equivalent to those

1 set forth herein.

2 (11) Violation of the prohibition against fee  
3 splitting in Section 24.2 of this Act.

4 (12) A finding by the Department that the licensee,  
5 after having his or her license placed on probationary  
6 status has violated the terms of probation.

7 (13) Abandonment of a patient.

8 (14) Willfully making or filing false records or  
9 reports in his or her practice, including but not limited  
10 to false records filed with State agencies or departments.

11 (15) Willfully failing to report an instance of  
12 suspected abuse or neglect as required by law.

13 (16) Physical illness, including but not limited to,  
14 deterioration through the aging process, or loss of motor  
15 skill, mental illness, or disability that results in the  
16 inability to practice the profession with reasonable  
17 judgment, skill, or safety.

18 (17) Solicitation of professional services other than  
19 permitted advertising.

20 (18) Failure to provide a patient with a copy of his or  
21 her record or prescription in accordance with federal law.

22 (19) Conviction by any court of competent  
23 jurisdiction, either within or without this State, of any  
24 violation of any law governing the practice of optometry,  
25 conviction in this or another State of any crime that is a  
26 felony under the laws of this State or conviction of a

1 felony in a federal court, if the Department determines,  
2 after investigation, that such person has not been  
3 sufficiently rehabilitated to warrant the public trust.

4 (20) A finding that licensure has been applied for or  
5 obtained by fraudulent means.

6 (21) Continued practice by a person knowingly having an  
7 infectious or contagious disease.

8 (22) Being named as a perpetrator in an indicated  
9 report by the Department of Children and Family Services  
10 under the Abused and Neglected Child Reporting Act, and  
11 upon proof by clear and convincing evidence that the  
12 licensee has caused a child to be an abused child or a  
13 neglected child as defined in the Abused and Neglected  
14 Child Reporting Act.

15 (23) Practicing or attempting to practice under a name  
16 other than the full name as shown on his or her license.

17 (24) Immoral conduct in the commission of any act, such  
18 as sexual abuse, sexual misconduct or sexual exploitation,  
19 related to the licensee's practice.

20 (25) Maintaining a professional relationship with any  
21 person, firm, or corporation when the optometrist knows, or  
22 should know, that such person, firm, or corporation is  
23 violating this Act.

24 (26) Promotion of the sale of drugs, devices,  
25 appliances or goods provided for a client or patient in  
26 such manner as to exploit the patient or client for

1 financial gain of the licensee.

2 (27) Using the title "Doctor" or its abbreviation  
3 without further qualifying that title or abbreviation with  
4 the word "optometry" or "optometrist".

5 (28) Use by a licensed optometrist of the word  
6 "infirmary", "hospital", "school", "university", in  
7 English or any other language, in connection with the place  
8 where optometry may be practiced or demonstrated unless the  
9 licensee is employed by and practicing at a location that  
10 is licensed as a hospital or accredited as a school or  
11 university.

12 (29) Continuance of an optometrist in the employ of any  
13 person, firm or corporation, or as an assistant to any  
14 optometrist or optometrists, directly or indirectly, after  
15 his or her employer or superior has been found guilty of  
16 violating or has been enjoined from violating the laws of  
17 the State of Illinois relating to the practice of  
18 optometry, when the employer or superior persists in that  
19 violation.

20 (30) The performance of optometric service in  
21 conjunction with a scheme or plan with another person, firm  
22 or corporation known to be advertising in a manner contrary  
23 to this Act or otherwise violating the laws of the State of  
24 Illinois concerning the practice of optometry.

25 (31) Failure to provide satisfactory proof of having  
26 participated in approved continuing education programs as

1 determined by the Board and approved by the Secretary.  
2 Exceptions for extreme hardships are to be defined by the  
3 rules of the Department.

4 (32) Willfully making or filing false records or  
5 reports in the practice of optometry, including, but not  
6 limited to false records to support claims against the  
7 medical assistance program of the Department of Healthcare  
8 and Family Services (formerly Department of Public Aid)  
9 under the Illinois Public Aid Code.

10 (33) Gross and willful overcharging for professional  
11 services including filing false statements for collection  
12 of fees for which services are not rendered, including, but  
13 not limited to filing false statements for collection of  
14 monies for services not rendered from the medical  
15 assistance program of the Department of Healthcare and  
16 Family Services (formerly Department of Public Aid) under  
17 the Illinois Public Aid Code.

18 (34) In the absence of good reasons to the contrary,  
19 failure to perform a minimum eye examination as required by  
20 the rules of the Department.

21 (35) Violation of the Health Care Worker Self-Referral  
22 Act.

23 The Department shall ~~may~~ refuse to issue or shall ~~may~~  
24 suspend the license of any person who fails to file a return,  
25 or to pay the tax, penalty or interest shown in a filed return,  
26 or to pay any final assessment of the tax, penalty or interest,

1 as required by any tax Act administered by the Illinois  
2 Department of Revenue, until such time as the requirements of  
3 any such tax Act are satisfied.

4 (a-5) In enforcing this Section, the Board or Department,  
5 upon a showing of a possible violation, may compel any  
6 individual licensed to practice under this Act, or who has  
7 applied for licensure or certification pursuant to this Act, to  
8 submit to a mental or physical examination, or both, as  
9 required by and at the expense of the Department. The examining  
10 physicians or clinical psychologists shall be those  
11 specifically designated by the Department Board. The Board or  
12 the Department may order the examining physician or clinical  
13 psychologist to present testimony concerning this mental or  
14 physical examination of the licensee or applicant. No  
15 information shall be excluded by reason of any common law or  
16 statutory privilege relating to communications between the  
17 licensee or applicant and the examining physician or clinical  
18 psychologist. Eye examinations may be provided by a licensed  
19 optometrist. The individual to be examined may have, at his or  
20 her own expense, another physician of his or her choice present  
21 during all aspects of the examination. Failure of any  
22 individual to submit to a mental or physical examination, when  
23 directed, shall be grounds for suspension of a license until  
24 such time as the individual submits to the examination if the  
25 Board or Department finds, after notice and hearing, that the  
26 refusal to submit to the examination was without reasonable

1 cause.

2 If the Board or Department finds an individual unable to  
3 practice because of the reasons set forth in this Section, the  
4 Board or Department shall require such individual to submit to  
5 care, counseling, or treatment by physicians or clinical  
6 psychologists approved or designated by the Department Board,  
7 as a condition, term, or restriction for continued, reinstated,  
8 or renewed licensure to practice, or in lieu of care,  
9 counseling, or treatment, the Board may recommend to the  
10 Department to file a complaint to immediately suspend, revoke,  
11 or otherwise discipline the license of the individual, or the  
12 Board may recommend to the Department to file a complaint to  
13 suspend, revoke, or otherwise discipline the license of the  
14 individual. Any individual whose license was granted pursuant  
15 to this Act, or continued, reinstated, renewed, disciplined, or  
16 supervised, subject to such conditions, terms, or  
17 restrictions, who shall fail to comply with such conditions,  
18 terms, or restrictions, shall be referred to the Secretary for  
19 a determination as to whether the individual shall have his or  
20 her license suspended immediately, pending a hearing by the  
21 Board.

22 (b) The determination by a circuit court that a licensee is  
23 subject to involuntary admission or judicial admission as  
24 provided in the Mental Health and Developmental Disabilities  
25 Code operates as an automatic suspension. The suspension will  
26 end only upon a finding by a court that the patient is no

1 longer subject to involuntary admission or judicial admission  
2 and issues an order so finding and discharging the patient; and  
3 upon the recommendation of the Board to the Secretary that the  
4 licensee be allowed to resume his or her practice.

5 (Source: P.A. 99-43, eff. 1-1-16.)

6 (225 ILCS 80/26.2) (from Ch. 111, par. 3926.2)

7 (Section scheduled to be repealed on January 1, 2017)

8 Sec. 26.2. Investigation; notice. The Department may  
9 investigate the actions of any applicant or of any person or  
10 persons holding or claiming to hold a license. The Department  
11 shall, before suspending, revoking, placing on probationary  
12 status, or taking any other disciplinary action as the  
13 Department may deem proper with regard to any license, at least  
14 30 days prior to the date set for the hearing, notify the  
15 accused in writing of any charges made and the time and place  
16 for a hearing of the charges before the Board, direct him or  
17 her to file his or her written answer to the Board under oath  
18 within 20 days after the service on him or her of the notice  
19 and inform him or her that if he or she fails to file an answer  
20 default will be taken against him or her and his or her license  
21 may be suspended, revoked, placed on probationary status, or  
22 have other disciplinary action, including limiting the scope,  
23 nature or extent of his or her practice, as the Department may  
24 deem proper taken with regard thereto. The ~~Such~~ written notice  
25 and any notice in the subsequent proceeding may be served by

1 personal delivery or by regular or certified ~~delivery or~~  
2 ~~certified or registered~~ mail to the applicant's or licensee's  
3 address of record ~~Department~~. In case the person fails to file  
4 an answer after receiving notice, his or her license may, in  
5 the discretion of the Department, be suspended, revoked, or  
6 placed on probationary status, or the Department may take  
7 whatever disciplinary action deemed proper, including limiting  
8 the scope, nature, or extent of the person's practice or the  
9 imposition of a fine, without a hearing, if the act or acts  
10 charged constitute sufficient grounds for such action under  
11 this Act. At the time and place fixed in the notice, the  
12 Department shall proceed to hear the charges and the parties or  
13 their counsel shall be accorded ample opportunity to present  
14 such statements, testimony, evidence and argument as may be  
15 pertinent to the charges or to their defense. The Department  
16 may continue the hearing from time to time. At the discretion  
17 of the Secretary after having first received the recommendation  
18 of the Board, the accused person's license may be suspended,  
19 revoked, placed on probationary status, or whatever  
20 disciplinary action as the Secretary may deem proper, including  
21 limiting the scope, nature, or extent of said person's  
22 practice, without a hearing, if the act or acts charged  
23 constitute sufficient grounds for such action under this Act.

24 (Source: P.A. 94-787, eff. 5-19-06.)

25 (225 ILCS 80/26.6) (from Ch. 111, par. 3926.6)

1 (Section scheduled to be repealed on January 1, 2017)

2 Sec. 26.6. Findings of fact, conclusions of law, and  
3 recommendations. At the conclusion of the hearing the Board  
4 shall present to the Secretary a written report of its findings  
5 of fact, conclusions of law and recommendations. ~~The report  
6 shall contain a finding whether or not the accused person  
7 violated this Act or failed to comply with the conditions  
8 required in this Act. The Board shall specify the nature of the  
9 violation or failure to comply, and shall make its  
10 recommendations to the Secretary.~~

11 The report of findings of fact, conclusions of law and  
12 recommendations of the Board shall be the basis for the  
13 Department's order. If the Secretary disagrees in any regard  
14 with the report of the Board, the Secretary may issue an order  
15 in contravention thereof. The Secretary shall ~~provide within 60  
16 days of taking such action a written report to the Board on any  
17 such deviation, and shall~~ specify with particularity the  
18 reasons for said action in the final order. The finding is not  
19 admissible in evidence against the person in a criminal  
20 prosecution brought for the violation of this Act, but the  
21 hearing and findings are not a bar to a criminal prosecution  
22 brought for the violation of this Act.

23 At any point in any investigation or disciplinary  
24 proceeding provided for in this Act, both parties may agree to  
25 a negotiated consent order. The consent order shall be final  
26 upon the signature of the Secretary.

1 (Source: P.A. 94-787, eff. 5-19-06.)

2 (225 ILCS 80/26.7) (from Ch. 111, par. 3926.7)

3 (Section scheduled to be repealed on January 1, 2017)

4 Sec. 26.7. Hearing officer. Notwithstanding the provisions  
5 of Section 26.6 of this Act, the Secretary shall have the  
6 authority to appoint any attorney duly licensed to practice law  
7 in the State of Illinois to serve as the hearing officer in any  
8 action for discipline of a license. ~~The Secretary shall notify~~  
9 ~~the Board of any such appointment.~~ The hearing officer shall  
10 have full authority to conduct the hearing. The Board shall  
11 have the right to have at least one member present at any  
12 hearing conducted by such hearing officer. The hearing officer  
13 shall report his or her findings of fact, conclusions of law  
14 and recommendations to the Board and the Secretary. The Board  
15 shall ~~have 60 days from receipt of the report to~~ review the  
16 report of the hearing officer and present its findings of fact,  
17 conclusions of law and recommendations to the Secretary. ~~If the~~  
18 ~~Board fails to present its report within the 60 day period, the~~  
19 ~~Secretary shall issue an order based on the report of the~~  
20 ~~hearing officer.~~ If the Secretary disagrees in any regard with  
21 the report of the Board or hearing officer, he or she may issue  
22 an order in contravention thereof. The Secretary shall ~~provide~~  
23 ~~a written explanation to the Board on any such deviation, and~~  
24 ~~shall~~ specify with particularity the reasons for such action in  
25 the final order.

1 (Source: P.A. 94-787, eff. 5-19-06.)

2 (225 ILCS 80/26.8) (from Ch. 111, par. 3926.8)

3 (Section scheduled to be repealed on January 1, 2017)

4 Sec. 26.8. Service of report; rehearing; order. In any case  
5 involving the discipline of a license, a copy of the Board's  
6 and hearing officer's report shall be served upon the  
7 respondent by the Department, either personally or as provided  
8 in this Act for the service of the notice of hearing. Within 20  
9 days after such service, the respondent may present to the  
10 Department a motion in writing for a rehearing, which motion  
11 shall specify the particular grounds therefor. If no motion for  
12 rehearing is filed, then upon the expiration of the time  
13 specified for filing such a motion, or if a motion for  
14 rehearing is denied, then upon such denial the Secretary may  
15 enter an order in accordance with this Act. If the respondent  
16 shall order from the reporting service, and pay for a  
17 transcript of the record within the time for filing a motion  
18 for rehearing, the 20 day period within which such a motion may  
19 be filed shall commence upon the delivery of the transcript to  
20 the respondent.

21 (Source: P.A. 94-787, eff. 5-19-06.)

22 (225 ILCS 80/26.15) (from Ch. 111, par. 3926.15)

23 (Section scheduled to be repealed on January 1, 2017)

24 Sec. 26.15. Certification of record. The Department shall

1 not be required to certify any record to the Court or file any  
2 answer in court or otherwise appear in any court in a judicial  
3 review proceeding, unless and until the Department has received  
4 from the plaintiff there is filed in the court, with the  
5 ~~complaint, a receipt from the Department acknowledging~~ payment  
6 of the costs of furnishing and certifying the record, which  
7 costs shall be determined by the Department. Failure on the  
8 part of the plaintiff to file a receipt in Court shall be  
9 grounds for dismissal of the action.

10 (Source: P.A. 87-1031.)

11 (225 ILCS 80/27) (from Ch. 111, par. 3927)

12 (Section scheduled to be repealed on January 1, 2017)

13 Sec. 27. Administrative Procedure Act. The Illinois  
14 Administrative Procedure Act is hereby expressly adopted and  
15 incorporated herein as if all of the provisions of that Act  
16 were included in this Act, except that the provision of  
17 subsection (d) of Section 10-65 of the Illinois Administrative  
18 Procedure Act that provides that at hearings the licensee has  
19 the right to show compliance with all lawful requirements for  
20 retention, continuation or renewal of the license is  
21 specifically excluded. ~~For the purpose of this Act the notice~~  
22 ~~required under Section 10-25 of the Administrative Procedure~~  
23 ~~Act is deemed sufficient when mailed to the last known address~~  
24 ~~of a party.~~

25 (Source: P.A. 88-45.)

1 (225 ILCS 80/30 new)

2 Sec. 30. Confidentiality. All information collected by the  
3 Department in the course of an examination or investigation of  
4 a licensee or applicant, including, but not limited to, any  
5 complaint against a license filed with the Department and  
6 information collected to investigate any such complaint, shall  
7 be maintained for the confidential use of the Department and  
8 shall not be disclosed. The Department may not disclose the  
9 information to anyone other than law enforcement officials,  
10 other regulatory agencies that have an appropriate regulatory  
11 interest as determined by the Secretary, or a party presenting  
12 a lawful subpoena to the Department. Information and documents  
13 disclosed to a federal, State, county, or local law enforcement  
14 agency shall not be disclosed by the agency for any purpose to  
15 any other agency or person. A formal complaint filed against a  
16 licensee by the Department or any order issued by the  
17 Department against a licensee or applicant shall be a public  
18 record, except as otherwise prohibited by law.

19 Section 99. Effective date. This Section and Sections 5,  
20 10, and 15 take effect upon becoming law. Section 20 takes  
21 effect on January 1, 2017, except that the provisions of  
22 Section 20 that add Section 15.3 to the Illinois Optometric  
23 Practice Act of 1987 take effect upon becoming law.